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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Hiroshi OHTSU
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Koichiro TAKAHASHI

RECEIVED

SEP 09 2003

Serial No. : 10/024,589

OFFICE OF PETITIONS

Filed : December 17, 2001

Title : **OPTICAL DISK APPARATUS AND METHOD FOR
ADJUSTING A SERVO OF SAME**

Examiner : ----

Group Art Unit : ----

September 4, 2003

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.137(b)

Sir:

Petitioner hereby petitions the Commissioner to accept the attached Response to Notice to File Missing Parts (Response to Notice) as if Response were timely made and no Abandonment had ever occurred.

The above-identified application was abandoned on March 17, 2002 by failure timely file a Response to the Notice to File Missing Parts mailed on January 17, 2002. Upon information and belief, Applicants failed to initially receive the Notice to

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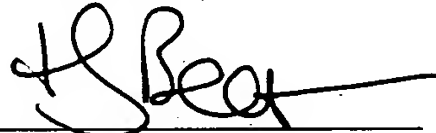
File Missing Parts of January 17, 2002, and discovered that the application had not been completed during a recent review of the file and PAIR status check. Applicants herewith submit a Response to the Notice to File Missing Parts, and hereby petition the Commissioner to revive the current application. Applicants aver that the entire delay in responding to the Notice to File Missing Parts was unintentional.

The Commissioner is hereby authorized to charge the petition fee required by § 1.137(b)(2) as set forth in § 1.17(m) to Deposit Account No. 50-1290. Any other fees due with this petition may also be charged on Deposit Account 50-1290.

Petitioner is enclosing the Response to Notice. All associated fees may be charged on Deposit Account 50-1290.

Please direct any inquiries regarding this petition to the Applicant's undersigned attorney who may be reached directly by telephone at (212) 940-8729.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

CUSTOMER NUMBER 026304

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